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4 San Francisco, CA 94105  
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8 Attorneys for SUN MICROSYSTEMS, INC.,  
9 MORGAN, LEWIS & BOCKIUS LLP, AND MAKING  
10 A SPECIAL APPEARANCE FOR JEFFREY  
11 KINGSTON, WHO HAS NOT BEEN SERVED AND IS  
12 NOT WAIVING SERVICE

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

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18 In re Application of Microsoft Corp.

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20 Case No. 06-80038 JF (PVT)

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**NOTICE OF SUBSTITUTION OF  
COUNSEL**

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26 TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

27 PLEASE TAKE NOTICE that Sun Microsystems, Inc., Morgan Lewis & Bockius, LLP,  
28 and Jeffrey Kingston hereby substitute James N. Penrod of the law firm of Morgan Lewis & Bockius, LLP, One Market, Spear Tower, San Francisco, CA 94105, as its attorneys of record in this matter in place of its former counsel, Diane L. Webb, Morgan Lewis & Bockius, LLP.

29 Service upon Sun Microsystems, Inc., Morgan Lewis & Bockius, LLP, and Jeffrey  
30 Kingston of all papers in this action should be made to:

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32 James N. Penrod  
33 Morgan Lewis & Bockius, LLP  
34 One Market, Spear Tower  
35 San Francisco, CA 94105

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CASE NO. 06-80038 JF (PVT)  
NOTICE OF SUBSTITUTION OF COUNSEL

1           The above substitution of attorneys is consented to and approved by each of the  
2 following persons and entities:

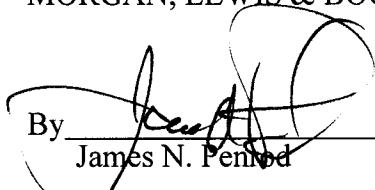
3  
4 Dated: April 5, 2006

MORGAN, LEWIS & BOCKIUS LLP

5  
6 By   
7 Diane L. Webb

8 Dated: April 5, 2006

MORGAN, LEWIS & BOCKIUS LLP

9  
10 By   
11 James N. Penrod

12 Attorneys for SUN MICROSYSTEMS, INC.,  
13 MORGAN, LEWIS & BOCKIUS LLP, AND  
14 MAKING A SPECIAL APPEARANCE FOR  
15 JEFFREY KINGSTON, WHO HAS NOT  
16 BEEN SERVED AND IS NOT WAIVING  
17 SERVICE

**PROOF OF SERVICE**

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is One Market, Spear Street Tower, San Francisco, CA 94105-1126. On March 10, 2006, I served the within documents:

**NOTICE OF SUBSTITUTION OF COUNSEL**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered on April 5, 2006, to a Federal Express agent for delivery.
- by causing the document(s) listed above to be personally delivered to the person(s) at the address(es) set forth below.
- by transmitting via electronic mail the document(s) listed above to each of the person(s) as set forth below.

ATTORNEYS	PARTIES	METHOD OF FILING
<b>Richard Allen Jones</b> Covington & Burling One Front Street , 35th Floor San Francisco, CA 94111 415-591-7065 Fax: 415-955-6565 Email: rjones@cov.com	<b>Microsoft Corporation</b>	<b>E-FILING</b>
<b>Joshua David Wolson</b> Covington & Burling 1201 Penssylvania Avenue N.W. Washington, DC 20004 202-662-6000 Email: jwolson@cov.com	<b>Microsoft Corporation</b>	<b>E-FILING</b>
<b>William D. Iverson</b> Covington & Burling 1201 Pennsylvania Avenue, N.W. Washington, DC 2004 202-662-6000	<b>Microsoft Corporation</b>	<b>VIA FEDERAL EXPRESS</b>

1 I am readily familiar with the firm's practice of collection and processing correspondence  
2 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same  
3 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on  
motion of the party served, service is presumed invalid if postal cancellation date or postage  
meter date is more than one day after date of deposit for mailing in affidavit.

4 Executed on April 5, 2006, San Francisco, California.

5 I declare under penalty of perjury, under the laws of the State of California and the United  
6 States of America, that the foregoing is true and correct.

7 /s/

8 MARGARET Y. TAI

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